

## Calendar No. 896

106TH CONGRESS  
2D SESSION**S. 2400****[Report No. 106–450]**

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

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## IN THE SENATE OF THE UNITED STATES

APRIL 11, 2000

Mr. ALLARD introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 2 (legislative day, SEPTEMBER 22), 2000

Reported by Mr. MURKOWSKI, with an amendment

[Omit the part struck through and insert the part printed in *italic*]**A BILL**

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DEFINITIONS.**

4       In this Act:

1           (1) CONTRACT.—The term “contract” means  
2           the contract between the United States and the  
3           Northern Colorado Water Conservancy District pro-  
4           viding for the construction of the Colorado-Big  
5           Thompson Project, dated July 5, 1938 (including  
6           any amendments and supplements).

7           (2) DISTRICT.—The term “District” means the  
8           Northern Colorado Water Conservancy District.

9           (3) SECRETARY.—The term “Secretary” means  
10          the Secretary of the Interior.

11          (4) TRANSFERRED SINGLE-PURPOSE WATER  
12          DISTRIBUTION FACILITIES.—The term “transferred  
13          single-purpose water distribution facilities” means  
14          the North Poudre Supply Canal and Diversion  
15          Works, also known as the Munroe Gravity Canal,  
16          the Charles Hansen (Supply) Canal and Windsor  
17          Extension and the Dixon Feeder Canal, all of which  
18          are facilities of the Colorado-Big Thompson Project  
19          located in Larimer County, Colorado.

20   **SEC. 2. CONVEYANCE OF TRANSFERRED SINGLE-PURPOSE**  
21                           **WATER DISTRIBUTION FACILITIES.**

22          (a) IN GENERAL.—The Secretary shall, as soon as  
23          practicable after the date of enactment of this Act and  
24          in accordance with all applicable law, convey all right, title,

1 and interest in and to the transferred single-purpose water  
 2 distribution facilities to the District.

3 (b) SALE PRICE.—

4 ~~(1) IN GENERAL.—The Secretary may accept~~  
 5 ~~from the District \$2,198,406 as consideration for~~  
 6 ~~the conveyance of the transferred single-purpose~~  
 7 ~~water distribution facilities under subsection (a).~~

8 *(1) IN GENERAL.—The Secretary shall accept*  
 9 *\$355,502 as payment from the District and*  
 10 *\$1,798,200 as payment from the power customers,*  
 11 *under the terms specified in this section, as consider-*  
 12 *ation for the conveyance under subsection (a). Out of*  
 13 *the receipts from the sale of power from the Loveland*  
 14 *Area Projects collected by the Western Area Power*  
 15 *Administration and deposited into the Reclamation*  
 16 *Fund of the Treasury in fiscal year 2001, \$1,798,200*  
 17 *shall be treated as full and complete payment by the*  
 18 *power customers of such consideration and as repay-*  
 19 *ment by the power customers of all aid to irrigation*  
 20 *associated with the facilities conveyed under sub-*  
 21 *section (a).*

22 (2) NO EFFECT ON OBLIGATIONS AND  
 23 RIGHTS.—Except as expressly provided in this Act,  
 24 nothing in this Act affects or modifies the obliga-  
 25 tions and rights of the District under the contract.

1           (3) PAYMENTS.—Except as provided in sub-  
2           section (c), the District shall continue to make such  
3           payments as are required under the contract.

4           (c) CREDIT TOWARD PROJECT REPAYMENT.—On  
5           payment by the District of the amount authorized to be  
6           accepted under subsection (b)(1), the amount paid shall  
7           be credited toward repayment of capital costs of the Colo-  
8           rado-Big Thompson Project in an amount equal to the as-  
9           sociated undiscounted obligation for repayment of the cap-  
10          ital costs.

11   **SEC. 3. LIABILITY.**

12          Except as otherwise provided by law, effective on the  
13          date of conveyance of the transferred single-purpose water  
14          distribution facilities under this Act, the United States  
15          shall not be liable for damages of any kind arising out  
16          of any act, omission, or occurrence based on any prior  
17          ownership or operation by the United States of the con-  
18          veyed property.



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